

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

STEVEN M. DENENBERG,

**Plaintiff and
Cross Plaintiff,**

VS.

BORKO B. DJORDJEVIC,

**Defendant and
Third-Party Plaintiff,**

VS.

**DOCTORS SURGERY CENTER,
d/b/a Surgeontothestars.com**

Third-Party Defendant and Cross Defendant.

8:07CV150

ORDER

This matter is before the court on the plaintiff's Motion to Compel ([Filing No. 116](#)). The plaintiff seeks an order compelling Doctors Surgery Center to provide responses to interrogatories, pursuant to [Fed. R. Civ. P. 33](#), and a complete corporate disclosure statement as required by [Fed. R. Civ. P. 7.1](#). Doctors Surgery Center did not file a response to the plaintiff's motion.

On April 6, 2010, the plaintiff served interrogatories on Doctors Surgery Center, but has received no response. **See** [Filing No. 102](#) - Interrogatories with Notice of Service; [Filing No. 116](#) - Motion ¶¶ 1-2. “The responding party must serve its answers and any objections within 30 days after being served with the interrogatories.” **See** [Fed. R. Civ. P. 33\(b\)\(2\)](#). Absent timely answers or objections, the responding party may waive objections and be subject to a sanction including payment of the moving party’s reasonable expenses. **See** [Fed. R. Civ. P. 33\(b\)\(4\)](#); [Fed. R. Civ. P. 37](#). Further, on October 30, 2009, Doctors Surgery Center filed a document titled Disclosure of Corporate Affiliations, Financial Interest, and Business Entity Citizenship, however such document fails to provide the information required by the federal rules. **See** [Filing No. 87](#). Doctors Surgery Center fails

to provide any explanation or justification for its failure to respond to discovery or make required disclosures. Accordingly, the plaintiff's motion is granted as set forth below. Upon consideration,

IT IS ORDERED:

1. The plaintiff's Motion to Compel ([Filing No. 116](#)) is granted.
2. **On or before November 17, 2010**, Doctors Surgery Center shall provide responses to the plaintiff's April 6, 2010, interrogatories, pursuant to [Fed. R. Civ. P. 33](#), without objection, and a complete corporate disclosure statement as required by [Fed. R. Civ. P. 7.1](#).
3. **On or before November 17, 2010**, Doctors Surgery Center shall show cause why sanctions, including the award of attorneys' fees under [Fed. R. Civ. P. 37\(b\)\(2\)\(C\)](#), should not be imposed.

DATED this 1st day of November, 2010.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge

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